

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZYNGA INC.,

Plaintiff,

v.

SCOPELY, INC., et al.,

Defendants.

Case No. 16-cv-06855-VC

**TEMPORARY RESTRAINING ORDER;
ORDER RE EXPEDITED DISCOVERY
FOR PRELIMINARY INJUNCTION
PROCEEDINGS**

Re: Dkt. Nos. 4, 5

Given the evidence of the measures Scopely regularly takes (and took in this case) to isolate itself from its competitors' confidential information, Zynga's concerns about trade secret misappropriation are currently too speculative to justify a temporary restraining order against Scopely. *See All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131, 1134-35 (9th Cir. 2011). The same can't be said of Maietti, because there's evidence that he left Zynga with the company's trade secrets, and the measures Scopely took to prevent its own receipt of trade secrets don't mitigate the concern that Maietti may still have whatever files he left with. The application for a temporary restraining order is therefore granted as to Maietti. Until a hearing on Zynga's request for a preliminary injunction, Maietti may not use or disclose any Zynga trade secret, and he may not use or disclose any of the confidential information Zynga specifically identified in its application for a temporary restraining order.

Good cause exists for expedited discovery to the limited extent discovery is needed to adjudicate Zynga's request for a preliminary injunction. But Zynga's current proposal is overbroad. The Court will hold a case management conference at 1:30 pm on January 3, 2017 to address the proper scope of discovery, and to schedule a hearing on Zynga's request for a

preliminary injunction against the three defendants. By December 27, 2016, the parties should submit a joint case management statement, not to exceed 15 pages, which addresses the proper scope of discovery, proposes a schedule for adjudicating the preliminary injunction request, and proposes a schedule for adjudicating the case overall.

IT IS SO ORDERED.

Dated: December 12, 2016

A handwritten signature in black ink, appearing to read 'Vince', is positioned above a horizontal line.

VINCE CHHABRIA
United States District Judge